

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. 2:24-cv-09065-AH-MAA Date: February 6, 2025

Title *Xanten Sigmund v. Darlington Villas Homeowners Association Inc. et al.*

Present: The Honorable Maria A. Audero, United States Magistrate Judge

Cindy Delgado
Deputy Clerk

N/A
Court Reporter / Recorder

Attorney Present for Plaintiff:
Not present

Attorneys Present for Defendant:
Not present

Proceedings (In Chambers): Order to Show Cause Re: Failure to Serve Complaint

Federal Rule of Civil Procedure 4(m) requires that service of the summons and Complaint must be made within ninety days of filing the complaint. Fed. R. Civ. P. 4(m). The Court warned Plaintiff of this deadline in its Initial Case Management Order. (ECF No. 4 § II.)

Here, this action was filed over ninety days ago. The docket in this case lacks filings showing that it is being timely prosecuted. Specifically, Plaintiff has not filed any proofs of service of the summons and Complaint.

Plaintiff is ordered to show cause, in writing, no later than **March 10, 2025**, why the Court should not recommend that this action be dismissed without prejudice under Federal Rule of Civil Procedure 4(m). In lieu of a written response, Plaintiff may discharge this Order to Show Cause by filing documents showing that the matter is being prosecuted diligently—for example, proofs of service of the summons and Complaint.

Plaintiff is cautioned that failure to respond to this order will result in a recommendation that the lawsuit be dismissed without prejudice for failure to prosecute and/or failure to comply with a court order pursuant to Federal Rule of Civil Procedure 41(b). See C.D. Cal. L.R. 41-1.

It is so ordered.